

State Water Resources Control Board
Division of Drinking Water

July 18, 2016
System No.: 5400655

Ms. Paulette Carpenter, Board Secretary
Central Mutual Water Company
P.O. Box 1431
Porterville, CA 93258

RE: **Citation No. 03-24-16C-013**
Violation of Title 22, California Code of Regulations, Section 64426.1,
For April and May 2016

Dear Ms. Carpenter:

Enclosed is a Citation issued to the Central Mutual Water Company (Water System) public water system.

The Water System will be billed at the Division's hourly rate (currently estimated at \$153.00) for the time spent on issuing this Citation. The California Health and Safety Code Section 116577 provides that a public water system must reimburse the Division for actual costs incurred by the Division for specific enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the Division has spent approximately one hour on enforcement activities associated with this violation.

The Water System will receive a bill sent from the Division of Drinking Water Fee Billing Unit in August of the next fiscal year. This bill will contain fees for any enforcement time spent on Central Mutual Water Company for the current fiscal year.

If you have any questions regarding this letter and the enclosed citation, please contact the Tulare District office at (559) 447-3300.

Sincerely,



Chad Fischer, P.E.
Senior Sanitary Engineer, Tulare District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

CJF/MRC

cc: Tulare County Environmental Health Department
Tom Day, Contract Operator (P.O. Box 10642, Terra Bella, CA 93270)

**STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER**

IN RE: CENTRAL MUTUAL WATER COMPANY
Water System No. 5400655

TO: Ms. Paulette Carpenter, Board Secretary
Central Mutual Water Company
P.O. Box 1431
Porterville, CA 93258

CC: Tulare County Environmental Health Services Department

**CITATION FOR VIOLATION OF
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64426.1
April & May 2016**

Issued on July 18, 2016

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to the Central Mutual Water Company (hereinafter "Water System") (P.O. Box 1431, Porterville, CA 93258) for violation of California Code of Regulations (CCR), Title 22, Section 64426.1.

APPLICABLE AUTHORITIES

The applicable statutes and regulations are provided in Appendix A, attached hereto and incorporated by reference.

STATEMENT OF FACTS

The Water System is a community water system serving a population of 112 residents through 41 service connections.

The Water System is required to collect a minimum of one distribution system bacteriological sample per month. The bacteriological water analysis results submitted by the Water System reported the presence of total coliform bacteria in seven of ten samples collected in April and May 2016. The samples were negative for *E.coli* bacteria.

Upon being informed of the presence of total coliform bacteria in the routine sample collected on April 19, 2016, Water System staff collected a total of four repeat samples on April 25, 2016. All of the repeat samples showed the presence of total coliform bacteria. The samples were negative for *E.coli* bacteria. The Division issued a Boil Water Notice to the Water System on April 26, 2016. A second set of five repeat samples was collected on May 5, 2016. Two of the samples were positive for total coliform bacteria. The samples were negative for *E.coli* bacteria. The Water System installed continuous chlorination equipment at the well site on June 19, 2016. On June 22, 2016, Water System staff collected five repeat samples which were negative for coliform bacteria and had a chlorine residual of 1.4 mg/L. Based on these results, the Division rescinded the Boil Water Notice on July 6, 2016. All water samples for coliform bacteria collected during April and May 2016 are summarized in Attachment A.

The well has been identified as the specific source of contamination. Source samples collected on April 25, 2016 and May 5, 2016 showed the presence of total coliform bacteria. The samples

1 were negative for *E.coli* bacteria. On June 17, 2016, Division staff conducted a Level 2
2 Assessment of the Water System. To correct the total coliform issue, the Water System
3 installed permanent chlorination equipment at the well site on June 19, 2016. Subsequent
4 samples collected on June 22, 2016, showed the absence of coliform bacteria with chlorine
5 residuals of 1.4 mg/L at each site.

6
7 Public notification to the Division and consumers of a water system is required whenever a
8 violation of the Total Coliform MCL occurs. Notification to the Division is required by the end of
9 the business day on which the violation has been determined. If the Division is closed,
10 notification shall be within 24 hours of the determination. The Division was notified on April 26,
11 2016.

12
13 Public notification to the consumers of the water systems has not been conducted. Attachment
14 B is a copy of a public notice that the Water System may use to notify its customers. This notice
15 fulfills the total coliform MCL notification requirements and includes the mandatory language.
16 Proof of notification is required (Attachment C).

17 18 **DETERMINATION**

19 Title 22, CCR, Section 64426.1, Total Coliform Maximum Contaminant Level (MCL) provides
20 that a public water system that collects fewer than 40 bacteriological samples per month has
21 violated the regulation if more than one sample collected during any month is total coliform
22 positive.

23
24 The Division has determined that the Water System failed to comply with Title 22, CCR, Section
25 64426.1, Total Coliform MCL for the months of April and May 2016 due to the presence of total
26 coliform bacteria in seven of ten samples collected in April and May 2016.

DIRECTIVES

The Water System is hereby directed to take the following actions:

1. Comply with Title 22, CCR, Section 64426.1, in all future monitoring periods.
2. On or before **August 15, 2016**, notify all persons served by the Water System of the TCR MCL violation by utilizing the Tier 2 Public Notice for violations of Section 64426.1. Public notice shall be given pursuant to Sections 64463.4 [lists method, time frame and delivery] and 64465 [content & format]. The Water System shall use the public notification template appended as Attachment B to fulfill the public notification requirements. Section 64463.4 allows community water systems to use mail or direct delivery to each customer and the use of one or more of the following methods: publication in a daily or weekly newspaper, posting the public notice in a conspicuous public place within the water system or on the internet, or by delivery to community organizations.
3. Within ten days of the provision of public notification as outlined above in Directive No. 2, the Water System shall provide to the Division certification of public notification using the enclosed Proof of Notification form (Attachment C). A copy of the final notice that was posted shall also be submitted to the Division with the proof of notification form.

The Division reserves the right to make such modifications to the Citation as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be effective upon issuance.

Nothing in this Citation relieves the Water System of its obligation to meet the requirements of the California Safe Drinking Water Act or any regulation, standard, permit or order issued thereunder.

1 All submittal required by this Citation shall be submitted to the Division at the following address:

2
3 Chad Fischer, P.E.
4 Senior Sanitary Engineer
5 State Water Resources Control Board
6 Division of Drinking Water
7 265 W. Bullard Avenue, Suite 101
8 Fresno, CA 93704

9
10
11 **PARTIES BOUND**

12 This Citation shall apply to and be binding upon the Central Mutual Water Company, its officers,
13 directors, agents, employees, contractors, successors, and assignees.

14
15 **SEVERABILITY**

16 The Directives of this Citation are severable, and the Water System shall comply with each and
17 every provision thereof notwithstanding the effectiveness of any provision.

18
19 **FURTHER ENFORCEMENT ACTION**

20 The California SDWA authorizes the Board to: issue citation with assessment of administrative
21 penalties to a public water system for violation or continued violation of the requirements of the
22 California SDWA or any permit, regulation or order issued or adopted thereunder including, but
23 not limited to, failure to correct a violation identified in a citation or compliance order. The
24 California SDWA also authorizes the Board to take action to suspend or revoke a permit that
25 has been issued to a public water system if the system has violated applicable law or
26 regulations or has failed to comply with an order of the Board; and to petition the superior court
27 to take various enforcement measures against a public water system that has failed to comply
with an order of the Board. The Board does not waive any further enforcement action by
issuance of this citation.

1
2
3 Date

7/18/16

Chad Fischer, P.E.
Senior Sanitary Engineer, Tulare District
DRINKING WATER FIELD OPERATIONS BRANCH

5 **CJF/MRC**

6 **Attachments:**

6 Attachment A: Summary of Distribution Bacteriological Samples from April & May 2016
7 Attachment B: Public Notice for April & May 2016
7 Attachment C: Proof of Public Notification Form

8 Certified Mail: 7015 1660 0000 0781 8015

9 03_24_16C_013_5400655_22



Bacteriological Distribution Monitoring Report

5400655 Central MWC
Distribution System Freq: 1/M

Sample Date	Location	T Coli	E Coli	F Coli	HPC	Type	Cl2	Cl2 Avg	Viol. Type	GWR Satisfied?	Comments
7/7/2016											BWO Issued: Water Outage
6/22/2016	1588 S. Kessing	<1	<1			Routine	1.40				
6/22/2016	1528 S. Kessing	<1	<1			Routine	1.40				
6/22/2016	1427 S. Kessing	<1	<1			Routine	1.40				
6/22/2016	1467 S. Kessing	<1	<1			Routine	1.40				BWO Cancelled 7/6/16
6/22/2016	1587 S. Kessing	<1	<1			Routine	1.40				
5/5/2016	1588 S. Kessing	<1	<1			Repeat					
5/5/2016	1528 S. Kessing	1	<1			Repeat					
5/5/2016	1427 S. Kessing	<1	<1			Repeat					
5/5/2016	1467 S. Kessing	<1	<1			Repeat					
5/5/2016	Well	1	<1			Source Repeat			MCL		L2 Completed by Maria
4/26/2016	See notes										Tom Day called to report TCR MCL for April 2016. BWO Issued
4/25/2016	1588 S. Kessing	4.1	<1			Repeat					
4/25/2016	1528 S. Kessing	7.4	<1			Repeat					
4/25/2016	1427 S. Kessing	4.1	<1			Repeat					
4/25/2016	Well	6.3	<1			Source Repeat					BWO Issued 4/26/16
4/19/2016	1588 S. Kessing	P	A			Routine			MCL		

Violation Key

MCL	Exceeds the maximum contaminant level	MR5	Incorrect number of repeat samples as follow-up to a positive sample
MR1	No monthly sample for the report month	MR6	No source sample
MR2	No quarterly sample for the report month	MR7	No summary report submitted
MR3	Incorrect number of routine samples for the report month	MR8	Other comments and/or info
MR4	Did not collect 5 routine samples for previous month's positive sample	MR9	Cl2 not reported

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

Central Mutual Water Company Had Levels of Coliform Bacteria Above the Drinking Water Standard

Our water system recently failed a drinking water standard. Although this incident was not an emergency, as our customers, you have a right to know what you should do, what happened and what we did to correct this situation.

We routinely monitor for drinking water contaminants. We collected ten (10) samples to test for the presence of coliform bacteria in April and May 2016. Seven (7) of these samples showed the presence of total coliform bacteria. The standard is that no more than 1 sample per month may show the presence of coliform bacteria.

What should I do?

- **You do not need to boil your water or take other corrective actions.**
- This is not an emergency. If it had been, you would have been notified immediately. Total coliform bacteria are generally not harmful themselves. *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.*
- Usually, coliforms are a sign that there could be a problem with the treatment or distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present. **We did not find any of these bacteria in our subsequent testing.**
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1(800) 426-4791.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

[Describe corrective action.] _____

We anticipate resolving the problem within _____ [estimated time frame].

For more information, please contact _____ at (____) _____ - _____ or at the following mailing address: _____.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- **SCHOOLS:** Must notify school employees, students, and parents (if the students are minors).
- **RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including nursing homes and care facilities): Must notify tenants.
- **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS:** Must notify employees of businesses located on the property.

This notice is being sent to you by Central Mutual Water Company.

Date distributed: _____.

PROOF OF NOTIFICATION
(Return with copy of the Notice)

As required by Section 116450 of the California Health and Safety Code, I notified all users of water supplied by the **Central Mutual Water Company** of the failure to meet the **total coliform bacteria MCL** for the month of **April and May 2016** as directed by the Division. At least one primary distribution method is required: mail, hand-delivery or posting in conspicuous locations. A second method is also required in order to reach persons not likely to be reached by a mailing, direct delivery or posting:

Notification was made on _____.
(date)

To summarize report delivery used and good-faith efforts taken, please check all items below that apply and fill-in where appropriate:

- ☐ The notice was distributed by mail delivery to each customer served by the water system.
- ☐ The notice was distributed by direct delivery to each customer served by the water system. Specify direct delivery method(s) used: _____
- ☐ Publication of the notice in a local newspaper or newsletter of general circulation (attach a copy of the published notice, including name of newspaper and date published).
- ☐ Posted the notice at the following conspicuous locations served by the water system (if needed, please attach a list of locations). _____
- ☐ Email message to employees or students. _____
- ☐ Other method used to notify customers. _____

DISCLOSURE: Be advised that Section 116725 and 116730 of the California Health and Safety Code state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in the county jail not to exceed one year, or by both the fine and imprisonment.

Certified by Name and Title: _____

Date: _____ Signature: _____

Due to the Division of Drinking Water within 10 days of notification to the public
Total Coliform MCL Failure / Enforcement Action No.: 03-24-16C-013